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JC02 Rec'd PCT/PTC

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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17281 U.S.P.

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NO.

005092-00072

U.S. APPLICATION NO. (If known, See 37 C.F.R. 1.53)

10/537197

INTERNATIONAL APPLICATION NO.

PCT/US03/38170

INTERNATIONAL FILING DATE

December 1, 2003

PRIORITY DATE CLAIMED

December 2, 2002

TITLE OF INVENTION

ELECTROPHORETIC DEVICES, INSTRUMENTS AND SYSTEMS INCLUDING SAME

APPLICANT(S) FOR DO/EO/US

David Strand and Dan M. Leatzow

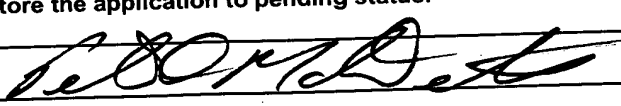
Applicant herewith submits to the United State Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (Unexecuted).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11-20 below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An Assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 C.F.R. 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
 - International Search Report (PCT/ISA/220)
 - International Publication WO 2004/051247 A3 (PCT/ISA/210)
 - Form PCT/IB/308
 - Preliminary Amendment

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| | | | | | |
|---|-----------------------|--|-------------------|---|--|
| U.S. APPLICATION NO. 10/537197 | | INTERNATIONAL APPLICATION NO. PCT/US03/38170 | | ATTORNEY'S DOCKET NO. 005092-00059 | |
| 21. The following fees are submitted: | | | | | |
| <input checked="" type="checkbox"/> | a) Basic National Fee | | \$300.00 | \$300.00 | |
| <input checked="" type="checkbox"/> | b) Examination Fee | | \$200.00 | \$200.00 | |
| <input checked="" type="checkbox"/> | c) Search Fee | | \$500.00 | \$500.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | \$1,000.00 | \$1,000.00 | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | Rate | | |
| 149 - 100 | 49 /50 | 1 | X \$250 | 250.00 | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$130.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total Claims | 86 -20 = | 66 | x \$50.00 | 3,300.00 | |
| Independent Claims | 5 - 3 = | 2 | x \$200.00 | \$200.00 | |
| Multiple dependent claims (if applicable) | | | + \$360.00 | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$4,880.00 | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated below above are reduced by 1/2. | | | | \$ 2,440.00 | |
| SUBTOTAL = | | | | \$ 2,440.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | | |
| TOTAL NATIONAL FEE = | | | | \$ 2,440.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. + | | | | | |
| TOTAL FEES ENCLOSED = | | | | \$ 2,440.00 | |
| | | | | Amount to be: | |
| | | | | refunded | |
| | | | | charged | |
| a. <input type="checkbox"/> A check in the amount of \$___ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 19-0733 in the amount of <u>\$2,440.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0733. A duplicate copy of this sheet is enclosed. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: | |  | | | |
| CUSTOMER NO.: 22910 | | SIGNATURE | | | |
| BANNER & WITCOFF LTD. | | Peter D. McDermott | | | |
| | | NAME | | | |
| | | June 2, 2005 | | | |
| | | DATE | | | |
| | | 29,411 | | | |
| | | REG. NO. | | | |

10/537197

JC06 Rec'd PCT/PTO 02 JUN 2005

005092.00072

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Strand, et al.

Application No.: Not Yet assigned **Art Unit:** Not Yet Assigned

Filed: Herewith **Examiner:** Not Yet Assigned

Entitled: Electrophoretic Devices, Instruments And Systems Including Same

CERTIFICATE OF EXPRESS MAIL

Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Dear Sir:

Express Mail Receipt No. **EV 515645394 US**

Date of Deposit: 2 June 2005

I hereby state that the following:

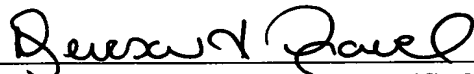
1. Transmittal Letter to the United States Designated /Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371(2 Pgs.) (In Duplicate)
2. Preliminary & Priority Claim Amendment (16 Pgs.)
3. Specification (96 Pgs.)
4. Drawings (53 Pgs.)
5. Copies of International Publication No. WO 2004/051247 and International Search Report (PCT/ISA/210); Notification of Transmittal of ISA (PCT/ISA/220); and Notice Informing the Applicant of the communication of the International Application to Designated Offices (PCT/IB/308)
6. Application Data Sheet (3 Pgs.)
7. Declaration and POA (unexecuted) (2 Pgs.)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Devora L. Gavel

02 June 2005

Dated



Signature of person mailing above-identified papers